

June 18, 2001

The Honorable George W. Bush
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear President Bush:

We are writing to formally transmit to you legislation we recently introduced, the "End Racial Profiling Act of 2001" (H.R. 2074/S.989), and to request a meeting with you or members of your Administration to discuss this legislation. We believe racial profiling represents one of the most important civil rights issues of the last thirty years, and we are eager to work with you on this matter on a bipartisan basis.

On February 27, you declared before a Joint Session of Congress that racial profiling "is wrong and we will end it in America." The very next day, your Attorney General, John Ashcroft wrote a letter asking us to introduce racial profiling legislation. The legislation we are forwarding to you today specifically responds to these requests.

Over the last several years, the existence of racial profiling has become increasingly well documented. Significant disproportionate targeting of African American and Hispanic motorists has been found in numerous states, including New Jersey, Texas, Pennsylvania, Florida, Illinois, Ohio, New York, and Massachusetts. This problem is not limited to state and local police, as recent statistics show disproportionate stops of minorities by federal customs officials, as well. Moreover, the data on "hit rates" dispels the myth that such searches are justified on the grounds that members of racial and ethnic minorities commit more crimes.

Racial profiling is problematic for two reasons. First, it sends the message to minorities that the criminal justice system judges them by their race, not their worth. Second, racial profiling causes a breakdown of trust on which community policing depends. Unless that trust is well grounded and deep seated, law enforcement cannot effectively perform their vital responsibility of protecting our communities.

Our legislation is designed to eliminate and prevent racial profiling by addressing the policies and procedures underlying its practice. First, we provide a prohibition on racial profiling, enforceable by injunctive relief. Second, we condition federal law enforcement and other monies that go to state and local governments on their adoption of policies that prohibit racial profiling. Third, we provide state

and local police with grant money they need to for training and modernization police. Finally, we provide for periodic reports by the Attorney General to assess the nature of any ongoing racial profiling.

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There are many good law enforcement officers who put their lives on the line every day to protect all of us and discharge their duties honorably. But we also know that there are some law enforcement officers who do not. We must work to change the hearts and minds of those officers who engage in racial profiling. A growing number of law enforcement officials understand that this bill is a step in the right direction. It may not be every law enforcement officer's ideal bill, but it is a place for us to start and to move forward on this issue.

Our bipartisan legislation is based on several months of careful consideration of all aspects of the issue of racial profiling, and reflects input from a wide range of civil rights, community and police groups. Given the late summer deadline for legislative action specified in Attorney General Ashcroft's letter to us, we would respectfully request to meet with you or appropriate members of your Administration at the earliest possible date to discuss how we can best move racial profiling legislation forward.

President Bush, like you, your predecessor in office expressed a strong commitment to ending the scourge of racial profiling. In one of his final official acts, President Clinton delivered a message to Congress declaring: "We must stop the morally indefensible and deeply corrosive practice of racial profiling. While some remedies are already available, we know we must do more. We know it is wrong. And it should be illegal, everywhere."

Now is the time for individuals on both sides of the aisle and across the political spectrum to come together to work in good faith to end racial profiling. Our nation and our citizenry deserve no less.

We look forward to working with you on this critical civil rights initiative.

Sincerely,

John Conyers, Jr.
Ranking Member
House Judiciary Committee

Russ Feingold
Chairman
Senate Judiciary Subcommittee on
Constitution, Federalism, and
Property Rights

Enclosure

cc: Hon. John D. Ashcroft